

U.S.S.N. 09/909,574

Filed: July 20, 2001

AMENDMENT AND RESPONSE TO OFFICE ACTION**Remarks**

Claims 1-4, 6-10, 22 and 23 are pending. Claims 22 and 23 have been cancelled. Claims 1 and 10 have been amended to clarify that the hydroxyalkanoate monomers are polymerized by the activity of a PHA synthase enzyme to form polyhydroxyalkanoates having a weight-average molecular weight (Mw) of at least 300,000 Da. Support for this amendment can be found on page 4, lines 14-16. Claim 9 has been amended to properly depend from claim 8. Claim 10 has been amended to correct grammar.

Withdrawal of rejections under 35 U.S.C. § 102(e) and for double patenting is appreciated.

Election/Restrictions

Claims 22 and 23 have been withdrawn from consideration as being directed to a non-elected invention. These claims have been cancelled.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 1-4 and 6-10 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection to the extent that it is applied to the claims as amended.

Claims 1 and 10 have been amended to recite "300,000 Da" as the weight-average molecular weight of the polyhydroxyalkanoates.

Claims 1 and 10 have been amended to clarify that the *polyhydroxyalkanoates* have a weight-average molecular weight of at least 300,000 Da.

Claim 8 has been amended as the Examiner has suggested.

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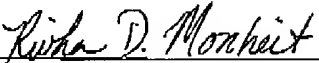
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Allowance of claims 1-4 and 6-10, as amended, is respectfully solicited.

Respectfully submitted,



Rivka D. Monheit
Reg. No. 48,731

Date: August 19, 2004

PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2152
(404) 879-2160 (Facsimile)